

# EXHIBIT 11

**COWAN, DeBAETS, ABRAHAMS & SHEPPARD LLP**

**ATTORNEYS AT LAW**

FREDERICK P. BIMBLER  
TOBY M. J. BUTTERFIELD  
AL J. DANIEL, JR.\*  
TIMOTHY J. DeBAETS  
ROBERT I. FREEDMAN  
ELLIS B. LEVINE  
MITCHELL E. RADIN  
ROBERT L. SEIGEL  
J. STEPHEN SHEPPARD  
RALPH J. SUTTON\*  
KENNETH N. SWEZEY  
DAVID BRUCE WOLF  
NANCY E. WOLFF

ZEHRA J. ABDI  
LISA K. DIGERNESE  
MATTHEW A. KAPLAN\*  
M. KILBURG REEDY  
MASON A. WEISZ

PHILIP M. COWAN (1943-2001)  
HOWARD ABRAHAMS (1945-1996)

OF COUNSEL:  
ANNE C. BAKER  
JUDITH A. BRESLER  
JERROLD B. GOLD  
ALBERT GOTTESMAN  
ROGER E. KASS  
MICHAEL D. REMER  
ROBERT F. VAN LIEROP

CORRESPONDENT FIRM:  
DONALDSON & HAET  
9220 SUNSET BLVD. STE. 224  
LOS ANGELES, CA 90069  
(310) 273-8394

\*ALSO ADMITTED IN CA & DC  
\*ALSO ADMITTED IN NJ  
\*ALSO ADMITTED IN AR & DC

November 14, 2007

**VIA HAND DELIVERY**

Hon. Louis L. Stanton, U.S.D.J.  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 2250  
New York, New York 10007

**Re: Lyons Partnership, L.P., et al. v. Party Art Productions, Inc., et al.  
Docket No. 07-7121 (LLS)**

Dear Judge Stanton:

We represent plaintiffs in the above-captioned action, and are in receipt of Mr. Pinnisi's November 13, 2007 letter opposing plaintiffs' request that the Court enter the proposed Confidentiality and Protective Order (the "Order").

Putting aside Mr. Pinnisi's rhetoric, while Mr. Pinnisi rejected plaintiffs' prior attempt to enter into a stipulated confidentiality agreement and protective order, he now states that his clients do "not oppose confidential treatment of a more narrow, genuinely confidential class of information of the Plaintiffs." However, Mr. Pinnisi requests that the Court reject plaintiffs' proposed Order based upon the notion that he alone (and not the Court) has the authority to determine what of plaintiffs' materials and information are confidential before he sees them. It is not appropriate for defendants to dispute plaintiffs' designations preemptively.

Plaintiffs provided the Court (and defendants) with a standard Confidentiality and Protective Order, which it appears Mr. Pinnisi did not read. The proposed Order is not a blanket confidentiality order; instead, it provides a mechanism by which a receiving party can dispute how the producing party designates its documents. If a receiving party disputes a certain designation that the parties cannot resolve, it can bring the issue before the Court.

Plaintiffs are prepared to provide defendants with their document production pursuant to the Court's direction and are closing in on mutually agreeable deposition dates. However, Plaintiffs will not produce such documents (nor can they present their investigators for deposition) unless a confidentiality and protective order is in place under which plaintiffs can protect documents and information that plaintiffs believe in good faith are confidential.

41 MADISON AVENUE - 34TH FLOOR, NEW YORK, NEW YORK 10010

TEL: (212) 974-7474

FAX: (212) 974-8474

WEB: www.cdas.com

E-MAIL: cdas@cdas.com

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We thank the Court for its consideration.

Respectfully submitted,

  
Matthew A. Kaplan

cc: Counsel on Attached Service List (w/ encls.)(via e-mail)  
Toby M.J. Butterfield, Esq.

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**SERVICE LIST**

Brian J. Greenfield, Esq.  
Greenfield, Pusateri & Ruhl  
626 Rexcorp Plaza  
Uniondale, NY 11516  
516-522-2565 (telephone)  
516-522-2566 (facsimile)  
E-mail: [brian.greenfield@gprlaw.com](mailto:brian.greenfield@gprlaw.com)  
*Attorneys for Defendant Eric Silvey d/b/a Eric Silvey Entertainment*

Mark J. Ingber, Esq.  
Ingber & Gelber, LLP  
181 Millburn Ave  
Millburn, NJ 07041  
973-921-0080 (telephone)  
973-921-0021 (facsimile)  
E-mail: [ingber.law@verizon.net](mailto:ingber.law@verizon.net)  
*Attorneys for Party Art Defendants and Magic Agency Defendants*

Gary Adelman, Esq.  
Barton, Barton & Plotkin, LLP  
420 Lexington Ave  
New York, NY 10170  
212-687-6262 (telephone)  
212-687-3667 (facsimile)  
E-mail: [Gary@bartonesq.com](mailto:Gary@bartonesq.com)  
*Attorneys for Defendants Party Poopers, Inc. and Marla Mase*

Michael D. Pinnisi, Esq.  
Pinnisi & Anderson, LLP  
11 North Tioga Street, Suite 200  
Ithaca, NY 14850  
607-257-8000 (telephone)  
607-257-0990 (facsimile)  
E-mail: [mpinnisi@pinnisianderson.com](mailto:mpinnisi@pinnisianderson.com)  
*Attorneys for Save the Date Defendants*